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Attorney for Defendant
DEON JOSEPH

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 24 2006

at 2 o'clock and 5 min, M
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 03-00048-01 SOM
)	
Plaintiff,)	
)	
vs.)	
)	
DEON JOSEPH,	(01),	DEFENDANT DEON JOSEPH'S
)	SUPPLEMENTAL SENTENCING
Defendant.)	STATEMENT; CERTIFICATE
)	OF SERVICE
)	

DEFENDANT DEON JOSEPH'S SUPPLEMENTAL SENTENCING STATEMENT

COMES NOW Defendant DEON JOSEPH, by and through his counsel, Louis Michael Ching, Esq., and strongly objects to paragraph number 31 (Page 8) of the presentence report prepared and dated July 01, 2004, to wit, his role in the offense was as an organizer, leader, manager, or supervisor requiring an increase adjustment of +2. Further, Defendant Joseph believes that he should receive additional departure credit for substantial government cooperation when he was debriefed about

"Mugsy", and subsequently, "Mugsy" was arrested and incarcerated with him at the FDC of Hawaii.

I. OFFER OF PROOF:

If called to testify in support of his objection to his role as an organizer, the Defendant Deon Joseph would testify to the following:

1. He never requested Co-Defendant Fabrene Kalili to coordinate the delivery of cocaine;
2. Kalili already had Co-Defendant Russell Tinay's address and Defendant Joseph never requested a delivery address from Kalili;
3. Kalili was the individual who negotiated the price of using Tinay's address;
4. Kalili knew Tinay through Co-Defendant Kerissa Savea who was Kalili's best friend, and Tinay and Savea had an ongoing relationship together;
5. Defendant Joseph had not been on speaking terms with Ronald Cornwall for months. Only prior to the drug transaction, did Defendant Joseph begin speaking with Cornwall again;
6. During the period of time which Defendant Joseph had not had any contact with Ronald Cornwall, Kalili had an ongoing relationship with Cornwall. Kalili had the intention of taking over the drug trade and contacts;

7. Kalili had a closer relationship with Ronald Cornwall. Kalili knew where Cornwall was residing in Hawaii. Defendant Joseph was not aware of Cornwall's whereabouts for 3 to 4 months when he was visiting Hawaii. Defendant Joseph's relationship with Ronald Cornwall was not stable;

DATED: Honolulu, Hawaii, March 24, 2006.



LOUIS MICHAEL CHING 4209
Attorney for Defendant
DEON JOSEPH

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing motion was duly served upon the below listed individuals at their last known addresses or official court jacket(s) either by hand delivery or by pre-paid postage deposited in the United States Postal Mail on the ABOVE STAMPED-FILED DATE.

TO: BEVERLY WEE SAMESHIMA, ESQ.
Assistant United States Attorney
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300 Ala Moana Blvd., Box 50183
Honolulu, Hawaii 96850

Attorney for Plaintiff
United States of America

CARTER A. LEE
Probation Officer

DATED: Honolulu, Hawaii, March 24, 2006.



LOUIS MICHAEL CHING 4209
Attorney for Defendant